

Pursuant to 37 C.F.R. § 1.173(c) Applicants below provide underlying support for the claim amendments and newly submitted claims. However, the noted portions are not meant to be an exhaustive statement of support for the claims.

Claim 67 has been amended to address the Examiner's concern that the argument submitted prior to the final rejection did not match the scope of claim 67. Accordingly, claim 67 has been amended to recite that the first and second faces of the lock each "presses against" the boss and the wear member respectively. Support for this limitation can be found in col. 6, ll. 11-14 in the patent as well as Figures 1 and 2.

Claim 73 has only been rewritten in independent form to include the limitations of claim 67. Since there are no substantive changes to this claim, Applicants do not believe a statement on support is required.

With regard to the new claims the support is listed below.

Claim 74: col. 2, lines 8-12.

(mount) col. 2, lines 18-22 and 31-

36;

(wear member) col. 2, lines 21-26
and 37-39;

(lock) col. 2, 37-39.

Claim 75: col. 2, lines 31-34.

Claim 76: Figure 4.

Claim 77: Figure 4.

Claim 78: col. 3, lines 54-56.

Claim 79: col. 2, lines 28-32.

Claim 80: col. 4, lines 46-49.

Claim 81: col. 2, lines 20-23 and 34-
36.

Claim 82: col. 4, lines 30-31.

Claim 83: col. 4, lines 30-36.

Claim 84: col. 5, lines 31-34.

Claim 85: col. 5, lines 50-57.

Claim 86: col. 2, lines 39-40.

Claim 87: col. 2, lines 40-42.

Claim 88: col. 2, lines 42-47.

51291.81516
09/368,503

Claim 89: col. 5, line 66 to col. 6, line 2.

Claim 90: col. 5, line 66 to col. 6, line 2.

Claim 91: col. 2, lines 8-12; (mount) col. 2, lines 18-20, 28-32 and 34-36; (wear member) col. 2, lines 18-20, 28-32 and 37-39; (lock) col. 2, lines 37-39 and 42-45.

Claim 92: col. 2, lines 32-34.

Claim 93: Figure 4.

Claim 94: Figure 4.

Claim 95: col. 2, lines 22-25.

Claim 96: col. 4, lines 46-49.

Claim 97: col. 5, lines 31-33.

Claim 98: col. 5, lines 50-57.

Claim 99: col. 2, lines 39-40.

Claim 100: col. 2, lines 42-47.

Claim 101: col. 5, line 66 to col. 6, line 2.

Claim 102: col. 5, line 66 to col. 6, line 2.

Claim 103: col. 2, lines 8-12; (boss) col. 2, lines 18-20 and 28-36, and Figure 4; (wear member) col. 2, lines 18-26, 31-32 and 37-39, col. 4, lines 46-49, and col. 5, lines 1-3; (lock) col. 2, lines 37-39 and 42-45.

Claim 104: col. 2, lines 42-47.

Claim 105: col. 5, line 66 to col. 6, line 2.

Claim 106: col. 5, line 66 to col. 6, line 2.

Claim 107: col. 2, lines 39-40.

Claim 108: col. 2, 18-20 and 37-42.

Claim 109: col. 2, lines 20-22 and col. 5, lines 1-3.

Claim 110: col. 5, lines 30-34.

Claim 111: col. 2, lines 20-26 and 32-36, and Figure 4.

Claim 112: Figure 4.

Claim 113: col. 2, lines 34-36.

Claim 114: col. 2, lines 18-26 and 32-36.

Claim 115: col. 2, lines 8-12; (mount) col. 18-26 and 32-34; (wear member) col. 2, lines 20-26 and 37-39, and Figures 1 and 2; (lock) col. 2, lines 37-38 and 42-47.

Claim 116: col. 2, lines 34-36.

Claim 117: col. 5, line 66 to col. 6, line 2.

Claim 118: col. 5, lines 66-67 and col. 6, lines 1-2 and 4-7.

Applicants believe claims 55-66 and 68-73 continue to be allowable along with originally allowed claims 1-54. Moreover, Applicants submit that claims 67 and 74-118 are also allowable. A notice to this effect is earnestly solicited.

Respectfully submitted,

By: 

Steven P. Schad
Registration No. 32,550

Dated: October 2, 2001

BANNER & WITCOFF, LTD.
1001 G Street, N.W.
Eleventh Floor
Washington, D.C. 20001-4597
(202) 508-9100

RECEIVED
TECHNOLOGY CENTER 3600
01 OCT -2 PM 4:07

51291.81516
09/368,503

APPENDIX

To show the manner in which the noted claims were amended, the claims are shown below with the added material underlined and the deleted material set in brackets.

67. (Twice Amended) A lock adapted to be received into an opening in a wear member for securing the wear member to a boss fixed to a digging edge of an excavator, said lock comprising [opposite] front and rear bearing faces wherein the front face [is adapted to oppose] presses against the boss and the rear face [is adapted to oppose] presses against the wear member to maintain coupling of the wear member to the boss, an adjustment assembly for selectively varying the relative positions of the front and rear bearing faces, and a projection to cooperate with a keeper structure to hold the lock in the opening in the wear member.

73. (Amended) A lock [in accordance with claim 67] adapted to be received into an opening in a wear member for securing the wear member to a boss fixed to a digging edge of an excavator, said lock comprising opposite front and rear bearing faces wherein the front face is adapted to oppose the boss and the rear face is adapted to oppose the wear member to maintain coupling of the wear member to the boss, an adjustment assembly for selectively varying the relative positions of the front and rear bearing faces, and a projection to cooperate with a keeper structure to hold the lock in the opening in the wear member, and further including a first part with an opening and a second part movably received in the opening, wherein one of the front and rear bearing faces are defined on each of the first and second parts.

74. (Amended) A wear assembly for an excavator having a lip with a digging edge, the wear assembly comprising:

a mount adapted to be fixed to an excavator lip, the mount including a front structure that is bent to engage along the front of the digging edge, a rear structure rearward of the front structure and having a first shoulder that extends generally away from the digging edge, and a bearing surface;

a wear member including a rear structure having a second shoulder that engages the first shoulder to hold the wear member to the mount and prevent[s] release of the wear member in a direction perpendicular to the extension of the first shoulder, and an opening; and

a lock received into the opening in the wear member and in contact with the bearing surface of the mount to prevent disconnection of the first and second shoulders and thereby retain the wear member to the mount.